

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62938 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Shama Sheikh @ Shama Parween, Wife of Late Md. Irfan, Daughter of Late Inamul Haque @ Munna R/O Chaughara, Gulshan Haidari, P.S.- Khazekalan, District- Patna
 2. Sabir Sheikh, Son of Late Inamul Haque @ Munna R/O Chaughara, Gulshan Haidari, P.S.- Khazekalan, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabban Khatoon, Wife of Late Nizamuddin Resident of Gulshan Haidri Mogalpura, P.S.- Khajekala, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Deepak Kumar Singh
For the Opposite Party/s :	Mr. Md. Ataur Rahman
	Mr. Jay Ram Prasad
	Mr. Deepak Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-12-2024 1. Heard learned counsel for the petitioners, learned APP for the State and the learned counsel appearing on behalf of the opposite party no.2.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 323, 380, 384 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners are grand-son and grand-daughter of the complainant and they are residing in the same house with her on the ground floor. It is also submitted that the complainant is not



having good relations with the petitioner, as such, the instant complaint case came to be instituted with an allegation that petitioners broke open the lock and entered the house and also committed theft of jewellery and Rs.5,000/- from the almirah. It is next submitted that the complainant earlier also had instituted an FIR against the petitioners with similar allegation. It is next submitted that complainant is under sway of her son and daughter in-law and they want the petitioners to be ousted from their home. It is also submitted that had an FIR been instituted, the matter would have been investigated, but then, it is easy to institute a complaint and thereafter, to bring two witnesses for establishing the case.

4. Learned A.P.P. as well as the learned counsel appearing on behalf of the opposite party no.2 opposes the anticipatory bail application.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Mrs. Pinki Kumari, the



learned Judicial Magistrate, 1st Class, Patna City, Patna in connection with Complaint Case (C.A.) No.15 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

(Satyavrat Verma, J)

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